

REMARKS

In accordance with the foregoing, claim 4 has been amended. Claims 1-10 are pending and under consideration.

Claims 4-6 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,808,713 to Broer et al. Fig. 2 of Broer et al. discloses a polarizer 31 having reflective facets 34. As can be seen in Fig. 2, light from light source 9 travels into the polarizer 31 through surface 29 at which point the light is reflected at surface 29 or reflected at the reflective facets 34.

Amended claim 4 requires that the unified composite optical element comprise a polarization film located at a light output side, and a prismatic light control face for modifying directivity of input light, the prismatic light control face being one surface located at a light input side of the polarization film itself. It should clear that this is quite different from the configuration disclosed in Broer et al, which employs a reflective polarizer 31 and reflective facets 34. With the reflective function of Broer et al., the device disclosed therein could not operate as claimed.

With regard to claims 5 and 6, these claims require a unified composite optical element comprising a polarization separating sheet member which transmits input light components having a first polarization plane and reflects input light components having a second polarization plane, perpendicular to the first polarization plane. The unified structure disclosed in Broer et al. reflects light and does not have the polarization separating function involving transmission and reflection.

With regard to claims 1-3 and 7-10, the Examiner relies primarily upon U.S. Patent No. 6,104,454 to Hiyama et al. The device disclosed in Hiyama et al. is somewhat similar to that described in the background of the invention section of the present application. However, the device disclosed in Hiyama et al. is very different from that claimed. Specifically, Hiyama et al. does not disclose or suggest anything about unifying the second converting means 240 of the reference with any other elements of the device.

The Examiner cites Howard v. Detroit Stove Works for the proposition that it would have been obvious to unify elements 240 and 252 of Hiyama et al. However, this case, a copy of which is enclosed, does not apply. The 1893 decision predates the modern standards for patentability. In fact, when 35 U.S.C. § 103 was codified, the previous decisions such as

Howard v. Detroit Stove Works became substantially inapplicable.

Even if Howard v. Detroit Stove Works were good law, it does not render the claims obvious. Referring to page 169 of the opinion, the Supreme Court cited other prior art to invalidate U.S. Patent No. 206,070. The mention of forming something in two pieces instead of one piece relates to prior art which does not appear to have been fully evaluated during the case. The Court's statements with regard to the two- piece/one-piece destination appears to be dicta in view of the Court's apparent invalidation of the patent based on other prior art. The only motivation for the modifying Hiyama et al. as suggested by the Examiner is the motivation provided in the present application.

It is important to note that the prismatic light control element (second converting means) 240 of Hiyama et al. tends to move easily because it is not unified with any other element of the LCD panel. To the contrary, claims 1-3 and 7-10 require the prismatic light control element to be unified with another element, thereby preventing the prismatic light control element from being moved. This may reduce the possibility of prismatic projections of the prismatic light control surface from being damaged by the emission face of the light guide plate upon scraping against the emission face of the light guide plate.

In view of the foregoing, it is submitted that the rejections relying upon Hiyama et al. should be withdrawn.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

Serial No. 09/288,217

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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Date: Sept 30, 2003

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